

DEPARTMENT OF WORKFORCE DEVELOPMENT
DIVISION OF WORKFORCE SOLUTIONS
ADMINISTRATOR'S MEMO SERIES

NOTICE 01-20

ISSUE DATE: 10/31/01

DISPOSAL DATE: 12/31/2003

RE: NOTICE OF CHANGES IN
W-2 CONTRACT
DOCUMENTS AS A
RESULT OF THE 2002-
2003 BIENNIAL BUDGET
(2001 Wis. Act 16)

To: 2002-2003 W-2 Agency Directors

From: Eric Baker /s/
Administrator

PURPOSE

This memo provides notice of changes to the W-2 program as a result of the Biennial Budget Act and a model W-2 Contract Amendment for Biennial Budget Act and Requested Technical Changes. In addition, answers to questions asked by W-2 agencies during the contracting process, that may or may not require contract modification, are also provided.

NOTICE OF BIENNIAL BUDGET ACT CHANGES TO THE WISCONSIN WORKS (W-2) PROGRAM

The Division of Workforce Solutions has reviewed the Biennial Budget Act (2001 Wis. Act 16) and identified changes to the W-2 program. These changes include:

- **CHANGES TO W-2 AND RELATED PROGRAMS ALLOCATIONS**

The Department revised allocations for W-2 agencies as a result of the Biennial Budget Act. The revised allocations were issued by the Department in late September 2001 as Appendix B to the Wisconsin Works (W-2) and Related Programs contracts.

- **DOMESTIC VIOLENCE**

The Department must establish administrative rules for screening potential victims of domestic abuse and for training W-2 agency employees in domestic abuse issues. W-2 agencies will be required to establish screening criteria in accordance with the Department rule. The Department is also to establish "guidelines" for W-2 agencies to provide oral and written information, and referrals for counseling and service providers, to any individual identified as a past or present victim of domestic abuse, or at risk of such abuse, or to an individual that asserts that he or she is either such a victim or at risk of becoming one.

The Department is in the process of developing the administrative rules and guidelines on domestic violence. New rules will be in place approximately one year from now and may require a W-2 Plan Modification at the time of implementation.

- W-2 EDUCATION AND TRAINING

Financial aid received under any state or federal program or any scholarship used for tuition and books must not be considered as income in determining financial eligibility for W-2. Employer-sponsored training shall be allowed as part of a participant's employability plan developed by the W-2 agency.

- EMPLOYMENT SKILLS ADVANCEMENT PROGRAM (ESAP)

The legislation that created the Employment Skills Advancement Program (ESAP) was repealed. Response Item 7.2.9.5 (Employment Skills Advancement Program) is deleted from Response Items through the W-2 Contract Amendment for Biennial Budget Act and Requested Technical Changes and accordingly must be deleted from the W-2 Plan.

- WORKFORCE ATTACHMENT AND ADVANCEMENT (WAA)

Funding for WAA was not provided in the Biennial Budget for the period of January 1, 2002 through June 30, 2002. The Department is attempting to secure WAA funding for the above period, possibly through an extension of the current WAA funding.

- CHILD CARE ELIGIBILITY

Technical clarification has been made to the statute regarding child care eligibility determinations.

The natural parent's income can be used to determine eligibility when a kinship care parent is applying for child care if the kinship parent is providing care for the child under a court order and is receiving kinship payments for either regular or long-term kinship care. The change in statute under the budget is to include long-term kinship care along with regular kinship care parents when using the natural parent's income to determine eligibility.

Child care policy never differentiated between regular or long-term kinship care parents when determining eligibility. Local agencies now have the statutory authority to treat regular and long-term kinship care parents the same when determining eligibility.

- ON-SITE CHILD CARE

The statute specifically allows the current practice of funding W-2 agencies for operation of on-site child care facilities for applicants for services and those transitioning into permanent child care arrangements.

- **PERFORMANCE STANDARDS**

An updated Performance Standards Chart is being issued through the W-2 Contract Amendment for Biennial Budget Act and Requested Technical Changes.

- **SANCTIONS FOR UNALLOWABLE EXPENSES**

Section 26.5 of the W-2 Contract is updated through the W-2 Contract Amendment for Biennial Budget Act and Requested Technical Changes to provide that the W-2 agency shall be liable to the Department for a penalty equal to fifty percent (50%) of the amount of unallowable expenses.

- **CONTRACTING PROCESS**

Section 57 of the W-2 Contract is updated through the W-2 Contract Amendment for Biennial Budget Act and Requested Technical Changes to provide that in subsequent contracts the Department shall use the contracting process specified under section 49.143 (1) of the statutes.

- **COMMUNITY REINVESTMENT FUNDS**

The Biennial Budget established an end date of December 31, 2001, for Community Reinvestment (CR) funds earned under the 1997-1999 W-2 Implementation Contract. No CR funds may be carried over beyond December 31, 2001. In addition, the Biennial Budget provided that effective with the 2002-2003 W-2 contracts, the opportunity to earn Community Reinvestment funds would no longer be available. This provision does not change the fact that some W-2 agencies under the 2000-2001 W-2 Contract will earn CR funds and have the opportunity to spend them during the 2002-2003 period.

W-2 PLAN MODIFICATIONS REQUIRED

Section 7.2 of the W-2 and Related Programs Contract requires W-2 agencies to submit a detailed W-2 agency Plan Modification within thirty (30) calendar days after the Department's issuance of notification of changes in the 2002-2003 Biennial Budget. The elimination of the Employment Skills Advancement Program is the only Biennial Budget change that requires a Plan Modification.

W-2 agency Plan modifications for reasons other than the Biennial Budget, covered by section 10.4 of the W-2 and Related Programs Contract, have different timeframes for submission to the Department. For that reason, please submit requests for Plan Modifications for reasons other than the Biennial Budget changes in a separate request.

REQUESTED TECHNICAL CHANGES

The following contract provisions have been amended based on input from W-2 agencies.

- The date for submission of the W-2 agency's Civil Rights Compliance Plan, including Language Access Plan, and Affirmative Action Plan have been revised. (Contract sections 28.1, 28.2 and 30.2)
- Correction of statutory references (Contract sections 30.1 and 42)

- Definition section (contract section 54) was updated
- Clarification regarding worker's compensation for volunteers is provided (Response item 7.1.8.c)
- Appendix A to the Wisconsin Works (W-2) and Related Programs Contract was updated for clarity.

QUESTIONS AND ANSWERS

For your information, responses to questions raised at the pre-contract phone conference are included as Attachment 2.

REGIONAL OFFICE CONTACT: Area Administrator (Department's Contract Manager)

Attachments 1) W-2 Contract Amendment (model document without merge fields for individual agencies), including revised Appendix A and Appendix E; and
2) Questions and Answers.